

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

WILLIAM J. EDWARDS,)
Plaintiff,)
v.) Civil Action
THE ORIGINAL FOOTWEAR COMPANY,) No. 04-12593-RGS
Defendant.)

)

**ASSENTED-TO MOTION OF DEFENDANT TO ENLARGE TIME
TO RESPOND TO COMPLAINT**

Defendant The Original Footwear Company moves pursuant to Fed. R. Civ. P. 6(b) to enlarge the time for responding to the Complaint through and including January 14, 2005.

As grounds for this motion, defendant states the following:

1. This is an action that was commenced in the Massachusetts Superior Court in Norfolk County. The Complaint seeks damages for, inter alia, an alleged breach of contract. Defendant was served by mail at its place of business in California on or about December 1, 2004. Defendant filed a Notice of Removal in this court on December 10, 2004, and has filed a copy of that Notice in the Superior Court.

2. Defendant's Massachusetts counsel was first contacted concerning this matter on December 9, 2004, and requires additional time to investigate the facts before framing a response.

3. Due to the upcoming holidays, and the unavailability of certain of defendant's personnel, defendant anticipates requiring a period of time through and including January 14, 2005 to file and serve its response to the Complaint.

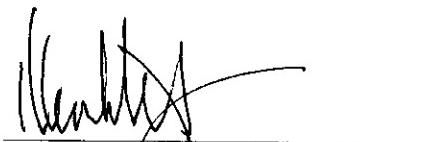
4. Plaintiff's counsel has assented to this Motion.

WHEREFORE, Defendant The Original Footwear Company requests that the time for responding to the Complaint be enlarged through and including January 14, 2005.

Certificate Under Local Rule 7.1

The undersigned counsel for the defendant certifies that on December 16, 2004, in advance of filing this motion, he conferred with Conrad J. Bletzer, Jr., counsel for the plaintiff, and that Mr. Bletzer assented to the requested enlargement of time.

THE ORIGINAL FOOTWEAR COMPANY
By its Attorneys



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(31), 201-220

Dated: December 17, 2004.

I hereby certify that a true copy of the above document was served upon (each party appearing pro se and) the attorney of record for each other party by mail (by hand) on 12-17-2004

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